

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

UNITED STATES OF AMERICA,)	CASE NO. 1:05CR346-002
)	
Plaintiff(s),)	
)	
vs.)	JUDGE CHRISTOPHER A. BOYKO
)	
DARYL BOGGS,)	
)	ORDER
Defendant(s).)	
)	

The Defendant appeared before this Court on July 1, 2008 for a hearing on Supervised Release Violations.

The Court finds the Defendant has a history of mental health issues; alcohol/drug abuse and attempted suicide.

Therefore, according to 18 U.S.C. § 4244(b), it is

ORDERED that a determination of Defendant's mental condition be made by the Bureau of Prisons pursuant to 18 U.S.C. § 4244(b) and shall be completed no later than Monday, September 15, 2008.

FURTHER ORDERED that a psychiatric and/or psychological examination of the defendant shall be conducted and a report on the same submitted to the Court and served on counsel of record (Assistant United States Attorney Ed Feran, 801 West Superior Avenue, Suite 400, Cleveland, Ohio 44113 and Neal G. Atway, Atway, Cochran & Rafidi, Ste. 1, 19 East Front Street, Youngstown, OH 44503) pursuant to 18 U.S.C. § 4244(b) with provisions under 18 U.S.C. 4247(c).

FURTHER ORDERED that should the examiner(s) need additional time to complete their examination of the Defendant, they shall file a motion with the Court showing good cause why the additional time is necessary to observe and evaluate the Defendant according to 18 U.S.C. § 4247(b);

FURTHER ORDERED that the U.S. Marshals shall make appropriate arrangements to have the defendant transferred under custody to FMC Butner, Federal Medical Center, P.O. Box 1600, Butner, NC 27509, where such examination of the Defendant shall be conducted;

FURTHER ORDERED that a hearing shall be scheduled in this matter after the results of the Defendant's examination have been submitted to the Court and counsel;

FURTHER ORDERED that the Defendant shall continue to receive, while in federal custody, all necessary medications and injections currently prescribed to him; and,

FURTHER ORDERED that the Court holds in abeyance the disposition of the violation hearing until after completion of the report on Defendant's mental condition and hearing.

IT IS SO ORDERED.

S/Christopher A. Boyko
Christopher A. Boyko
United States District Judge

July 2, 2008